

spike in drug overdose deaths last year should serve as a call to action for all of us. To secure our border, to help those struggling to overcome addiction, the tools and the training to do so, there is an urgent action that we can take and should take to address both.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

SOCIAL MEDIA

Mrs. BLACKBURN. Madam President, there was such an interesting occurrence that happened down the street a bit at 1600 Pennsylvania Avenue last weekend, and it is when White House Press Secretary Jen Psaki unveiled the scheme that her colleagues in the West Wing had worked out with Big Tech.

Well, what they are setting about to do is to remove—and I am quoting her—“problematic” content from Facebook and other digital platforms. That is right. They, the White House team, have decided that they are going to work with Big Tech, and they are going to remove “problematic”—their term—content from Facebook and other digital platforms.

Now, I am certain that the White House was very confident that the press would treat this rather bizarre admission like they have treated other blatant oversteps coming out of this administration. After all, they, the press, have provided reliable cover for this White House since Inauguration Day.

But here is the problem. It is no longer Inauguration Day. There is now a record to consider, and I will tell you what, no matter what they do, the mainstream media is not going to be able to turn the clock back on this overstep.

In just 6 months, the Biden administration has done an admirable job showing the American people exactly who they are. We have seen enough at this point to take the admission of being in cahoots with Big Tech at face value. The administration has intentionally overwhelmed the airwaves with big promises that are conveniently light on details.

And there is a good reason for that. What President Biden and the Democrats are trying to do would fundamentally transform this country into something that we, the people, would have a very difficult time even recognizing.

They got off to a great start toward their goals by killing jobs in the name of climate extremism and opening the border to a flood of illegal immigrants with no plan at all to manage the influx. They just said: Let's send them to the States, and let local communities and States cover this cost.

They tried to dupe the American people into getting behind a so-called infrastructure plan that was anything but infrastructure. Then they doubled

down on a brazen attempt to extend the Federal Government's control over schools and homes. They labeled this spending spree the American Families Plan to provide cover for yet another attack on, what else, the nuclear family.

Then they launched an all-out war on the ballot box in the name of the people. And now we see that they worked out a perfect system to force the opposition to shut up—just throw a flag on your opponents and watch their digital footprint and their freedom of speech evaporate.

There is a way to shut them down. It is called government-approved messaging. Obviously, somewhere in the White House, they tucked their realities that they alluded to back in January, and now this is what we are seeing.

I know we already have members of the mainstream media who are running defense on behalf of this little collaboration between the White House and Big Tech, but it is time to get serious about what is going on here. The President of the United States is using the full force of his administration to silence his political opponents. That is correct.

This isn't just dystopian. It also raises serious questions about how much pressure the Federal Government can put on a private entity to restrict political speech. Think about that. This administration, working with Big Tech, is going to deem certain messages government approved and others as being open to censorship. It is, indeed, a complete violation of the trust the American people put in Joe Biden when they sent him to the White House.

But as the new majority has made clear, to tear down and rebuild the United States in their own image is something that is a goal. And in order to do that, they attack the foundation. They have to get rid of all the things that make America so incredibly special: our commitment to safety and security, the importance of the family, and the near sacrosanct promise of free speech and open debate.

They have gotten off to a pretty good start, those Democrats. But for their vision to take hold, the Democratic majority must convince a critical mass of their countrymen to adopt their same narrow viewpoint. Fortunately, the American people are not accustomed to doing what they are told simply because an authority figure said go do it.

Here is a quote that former President Reagan made regularly, and I know we have heard it and seen it on this floor several times so far this year:

Freedom is never more than one generation away from extinction. It has to be fought for and defended by each generation.

That is so important for us to remember. It is important because it is something that we are seeing really kind of lived out right now. We have to take this as something of a warning

when you look at the steps that this administration is taking. If anything, they are taking big steps to see just how far they can push the limits of democracy: How much will the people take? How much freedom are they willing to give up?

Just about every single policy coming out of this White House has been used by the Democrats as a weapon to diminish freedom in the name of a preapproved socialist fantasy. And in that fantasy, there is no room for free speech or dissent. Censorship becomes normalized. It is expected. Collectivism replaces individualism. The philosophies of democracy and self-determination fall victim to the moving goalposts of a living Constitution, and freedom is reduced to an outdated trope that only the unenlightened cling to.

I wonder, how many people in this country do you think actually have that as a goal? How many do you think are wanting to give up their free speech and their freedom and hand it over to the government and let the government decide what they are going to give back to them, how much freedom they are going to allow them to exercise over their daily life, over their children's education, over the education that they want to have, or the job they want to have, or the home they want to live in, or the car that they want to drive? Do you really think that Americans want to give their freedom up?

Since the 2016 election, the left has existed in a state of perpetual hysteria. It has been over the threat that our God-given freedom poses threats to their radical, socialist agenda. But instead of taking the conventional route of persuasion, they chose a high-pressure guilt campaign to force people into a prepackaged American experience. They want everyone marching in line with the daily talking points because we want calm, they say. Democracy is too messy. It is too unpredictable. No one wants to exist in that system, they say.

But I differ in my opinion. Yes, it is messy, but this big, beautiful, diverse mess is what sets this country apart. It makes us strong and successful and unites us under the common cause of freedom. And as we are all well aware, it has also turned this shining city on a hill into a magnet for criticism from nations foundering under the disastrous consequences of their great socialist experiment.

I would implore my colleagues on the other side of the aisle to stop trying to fit in with these failing systems. Stop diminishing the cause of freedom because it inconveniences you. Abandon your fear of open debate. This constant refusal to engage says much more about the strength of your policy positions than it does about ours. Above all, stop ignoring the American people. They didn't vote for this. They do not want this.

It is so interesting to me every weekend to go home and listen to Tennesseans who talk about the changes

that they have seen in the Democratic Party and the policies that are coming forward that they are rejecting because they do not want to give up their freedom. They are willing to fight for their freedom so that their children and their grandchildren know the promises of the American dream and have the opportunity to live their lives in freedom.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit.

VOTE ON CUNNINGHAM NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Cunningham nomination?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. HEINRICH assumed the Chair.)

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from Nebraska (Mr. SASSE).

The result was announced—yeas 63, nays 33, as follows:

[Rollcall Vote No. 267 Ex.]

YEAS—63

Baldwin	Grassley	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Romney
Brown	Hickenlooper	Rosen
Burr	Hirono	Rounds
Cantwell	Kaine	Rubio
Capito	King	Sanders
Cardin	Klobuchar	Schatz
Carper	Leahy	Schumer
Casey	Lee	Shaheen
Collins	Lujan	Sinema
Coons	Manchin	Smith
Cornyn	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Tillis
Durbin	Murkowski	Van Hollen
Ernst	Murphy	Warner
Feinstein	Murray	Warnock
Fischer	Ossoff	Warren
Gillibrand	Padilla	Whitehouse
Graham	Peters	Wyden

NAYS—33

Barrasso	Braun	Cruz
Blackburn	Cassidy	Daines
Blunt	Cotton	Hagerty
Boozman	Cramer	Hawley

Hoeven	Marshall	Shelby
Hyde-Smith	McConnell	Sullivan
Inhofe	Moran	Thune
Johnson	Paul	Toomey
Kennedy	Risch	Tuberville
Lankford	Scott (FL)	Wicker
Lummis	Scott (SC)	Young

NOT VOTING—4

Booker	Kelly
Crapo	Sasse

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

INFRASTRUCTURE

Mr. SCHUMER. Madam President, for the past several months, both Democrats and Republicans have been hard at work putting together two major infrastructure bills to meet the challenges of the 21st century. We have proceeded along two tracks. The first track is a bipartisan infrastructure framework that has been agreed to by a group of Democrats and Republican Senators and the White House. The second track is a budget resolution with reconciliation instructions that will allow the Senate to take up the American Jobs and Families Plan and make historic investments in jobs, family support policies, and initiatives to fight climate change. This week, the Senate aims to make even more progress on these tracks.

Tonight, in a few minutes, I will file cloture on a shell bill, which will act as a legislative vehicle for the bipartisan infrastructure framework. That vote on cloture will take place on Wednesday. Again, that vote on Wednesday will be a vote on cloture simply to the motion to proceed to a debate on a bipartisan infrastructure bill.

I want to be clear about what these steps mean. There has been some confusion. What we are talking about this week is a vote on whether to proceed to debate on the bipartisan infrastructure framework. The motion to proceed on Wednesday is simply about getting the legislative process started here on the Senate floor; it is not a deadline to determine every final detail of the bill. All a "yes" vote on the motion to proceed simply means is that the Senate is ready to begin debating and amending a bipartisan infrastructure bill; no more, no less.

It is important to remember that even after the Wednesday cloture vote, there are up to 30 hours of debate before we can adopt the motion to proceed and offer amendments.

So let me be very clear about what I am committing to the Senate as majority leader. If the bipartisan group of Senators reaches a final agreement on legislative text by Thursday, I will make that agreement the pending substitute amendment for debate once the motion to proceed is adopted. If for some reason the group does not finalize

the legislative text to the agreement in time for Thursday, then I will offer an amendment consisting only of the elements of the bill that have already been put through committee on a bipartisan process. This will allow this Senate to begin debate and amendments on the bipartisan base bill, which has four main components:

First, the Environment and Public Works Committee report of the water bill. This bill passed by a voice vote in committee and then 89 to 2 on the Senate floor.

Second, the Environment and Public Works Committee report of the highway bill. This passed by 20 to nothing.

Third, the Commerce Committee report on the rail and safety bill. This bill passed by 25 to 3.

Fourth, the Energy and Natural Resources Committee report of the Energy bill. This passed 13 to 7.

Again, if the text of the bipartisan deal is ready on Thursday, I will offer it as the first substitute amendment. If for some reason it is not, I will offer an amendment that consists only of the elements of the bill that have gone through committee with substantial bipartisan support, the four pieces that I mentioned just a second ago.

Now, I have spoken with the five leading Democratic negotiators: Senators SINEMA, WARNER, TESTER, SHAHEEN, and MANCHIN. They support this approach.

I would remind my colleagues, moving to proceed to a legislative vehicle, a shell bill, for bipartisan legislation, even while the negotiators finalize the text of that legislation, is a routine process in this Chamber. We have done it repeatedly. It is a sign of good faith from both sides that negotiations will continue in earnest and both sides are committed to reaching an outcome.

Earlier this year, the Senate moved forward on a vehicle—a legislative vehicle—for what became the COVID-19 Hate Crimes Act. In fact, we went through the same process when the Senate moved to proceed to the legislative vehicle for what ultimately became the United States Innovation and Competition Act. In that legislation, our Senate committees were working on various bills that all had to do with American innovation and competition.

The Commerce Committee reported out the Endless Frontier Act. The Foreign Relations Committee reported out the Strategic Competition Act. And the Homeland Security Committee reported out additional pieces of legislation. We put them together once we voted to proceed to debate on the topic. The same thing—the very same thing is happening on the bipartisan infrastructure bill.

I understand that both sides are working very hard to turn the bipartisan infrastructure framework into final legislation, and they will continue to have more time to debate, amend, and perfect the bill once the Senate votes to take up this crucial issue.